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**LAWS**

**FOR REGULATING**

**MEDICAL SOCIETIES:**

**TOGETHER WITH THE**

**BY-LAWS & MEDICAL ETHICS**

**FOR THE**

**MEDICAL SOCIETY**

**OF THE**

**COUNTY OF RENSSELAER;**

**INCORPORATED IN 1806.**

**WITH A LIST OF MEMBERS.**

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**PUBLISHED BY ORDER OF THE SOCIETY.**

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**TROY:**

**PRINTED FOR THE SOCIETY, BY JOHN C. REMBLE,  
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**1831.**

377

1847

THE MEDICAL

MEDICAL SOCIETY

OF THE

WESTERN MEDICAL ETHICS

FOR THE

MEDICAL SOCIETY

OF THE

COUNTY OF KANSAS

INCORPORATED IN 1866

WESTERN MEDICAL ETHICS

PUBLISHED BY ORDER OF THE SOCIETY

THE

OFFICE FOR THE SOCIETY, AT CHAS. E. BAKER,

CHAS. E. BAKER, CHAS. E. BAKER,

1867



# AN ACT

## TO INCORPORATE MEDICAL SOCIETIES,

FOR THE PURPOSE OF REGULATING THE PRACTICE OF PHYSIC  
AND SURGERY IN THIS STATE.

*Passed April 10, 1813.*

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WHEREAS, well regulated Medical Societies have been found to contribute to the diffusion of true science, and particularly the knowledge of the healing art—Therefore,

*Be it enacted by the people of the State of New York, represented in Senate and Assembly,* That it shall and may be lawful for the physicians and surgeons in the several counties of this state, now authorised by law to practice in their several professions, except in those counties wherein Medical Societies have been already incorporated, to meet together on the first Tuesday of July next, at the place where the last term of the court of common pleas next previous to such meeting was held in their respective counties; and the several physicians and surgeons so convened as aforesaid, or any part of them, being not less than five in number, shall proceed to the choice of a President, Vice President, Secretary, and Treasurer, who shall hold their offices for one year, and until others shall be chosen in their places; and whenever the said societies shall be so organised as aforesaid, they are hereby declared to be bodies corporate and politic, in fact and in name, by the names of the Medical Society of the county where such societies shall respectively be formed; and by that name shall be in law capable of

suing and being sued, pleading and being impleaded, answering and being answered unto, defending and being defended, in all courts and places, and in all matters and causes whatsoever ; and shall and may have a common seal, and may alter and renew the same at their pleasure.

*And be it further enacted,* That the Medical Societies of counties already incorporated, shall continue to be bodies corporate and politic, in fact and in name, by the names of the Medical Society of the county where such societies have respectively been formed, and by that name shall be in law capable of suing and being sued, pleading and being impleaded, answering and being answered unto, defending and being defended, in all courts and places, and in all matters and causes whatsoever ; and shall and may have a common seal, and may alter and renew the same at their pleasure ; and the President, Vice President, Secretary, and Treasurer, of such incorporated societies, shall hold their offices for one year, and until other shall be chosen in their places.

*And be it further enacted,* That the Medical Society already incorporated, by the style and name of the "Medical Society of the State of New York," shall continue to be a body politic and corporate, in fact and in name, and by that name shall be in law capable of suing and being sued, pleading and being impleaded, answering and being answered unto, defending and being defended, in all courts and places, and in all matters and causes whatsoever ; and shall and may have and use a common seal, and may change and alter the same at their pleasure : and that the said society shall be composed of one member from each of the county societies in the state, elected by ballot at their annual meeting, who shall meet together at the time and place appointed by the said society for that purpose ; and being met, not less than fifteen in number, may annually elect by ballot a President, Vice President, Secretary, and Treasurer, who shall hold their offices for one year, and until others shall be chosen in their place.



*And be it further enacted,* That the Medical Society of the state of New York, and also the Medical Societies of the respective counties, shall and may agree upon and determine the times and places of their meeting ; and the time so agreed upon, shall forever thereafter, be the anniversary day of holding their respective meetings ; and it is hereby made the duty of the Secretary of each of the County Medical Societies, to lodge in the office of the clerk of their respective counties, if not already done, a copy of all the proceedings had at their first meeting ; and it shall also be the duty of the Secretary of the Medical Society of the State of New York, in like manner, to lodge in the office of the Secretary of this state, a copy of their proceedings, had at their first general meeting ; and the said Clerks and Secretary are hereby required to file the same in their respective offices, for which they shall each receive the sum of twelve and a half cents.

*And be it further enacted,* That the members now composing the Medical Society of the State of New York, from each of the four great districts, shall remain divided into four classes ; and one class from each of said districts, shall go out of office annually.

*And be it further enacted,* That it shall be the duty of the Secretary of the Medical Society of the State of New York, whenever the seats of any of the members shall become vacant, to give information of the same to the respective County Societies, to the end that such County Societies may supply such vacancy at their next meeting.

*And be it further enacted,* That in case there shall be an addition to the number of members composing the Medical Society of the State, that in that case it shall be in the power of the said Society, at any of their annual meetings, and so often as they shall judge necessary, to alter and vary the classes in such manner, as that one fourth of the members from each of the great districts, as near as may be, shall annually go out of office.

*And be it further enacted,* That if the seat of any member of the Medical Society of the State of New York shall be vacated, either by death, resignation, or removal from the county, it shall be the duty of the Medical Society of such county to fill such vacancy at their next meeting after such vacancy shall happen.

*And be it further enacted,* That the Medical Societies established as aforesaid, are hereby respectively empowered to examine all students who shall and may present themselves for that purpose, to give diplomas under the hand of the President and seal of such Society, before whom such students shall be examined; which diploma shall be sufficient to empower the person so obtaining the same, to practise physic or surgery, or both, as shall be set forth in said diploma, in any part of this state.

*And be it further enacted,* That if any student who shall have presented himself for examination before any of the Medical Societies of the several counties of this state, shall think himself aggrieved by the decision of such Society, it shall be lawful for such student to present himself for examination to the Medical Society of the State of New York; and if in the opinion of such Society, the student so applying is well qualified for the practice of physic or surgery, or both, as the case may be, the President of said Society shall, under his hand and the seal of such Society, give to the said applicant a diploma agreeable to such decision.

*And be it further enacted,* That it shall and may be lawful for the several Medical Societies so established as aforesaid, at their annual meetings, to appoint not less than three nor more than five, Censors, to continue in office for one year, and until others are chosen, whose duty it shall be carefully and impartially to examine all students who shall present themselves for that purpose, and report their opinion in writing, to the President of said Society.



*And be it further enacted,* That it shall and may be lawful for the Medical Societies of the respective counties in this state, and also the Medical Society of the state of New York, to purchase and hold any estate, real and personal, for the use of said respective Societies : *Provided*, such estate, as well real as personal, which the county Societies are hereby respectively authorised to hold, shall not exceed the sum of one thousand dollars; and that the estate, as well real as personal, which the Medical Society of the state of New York is hereby authorised to hold, shall not exceed five thousand dollars.

*And be it further enacted,* That it shall be lawful for the respective Societies to make such by-laws and regulations relative to the affairs, concerns, and property of said Societies; relative to the admission and expulsion of members; relative to such donations or contributions as they, or a majority of the members, at their annual meeting, shall think fit and proper : *Provided*, That such by-laws, rules, and regulations, made by the Society of the state of New York, be not contrary to, nor inconsistent with, the constitution and laws of this state, or of the United States; and that the by-laws, rules, and regulations, of the respective county Societies, shall not be repugnant to the by-laws, rules, and regulations, of the Medical Society of the state of New York, nor contrary to, or inconsistent with, the constitution and laws of this state, or of the United States.

*And be it further enacted,* That the Treasurer of each Society established as aforesaid, shall receive and be accountable for all moneys that shall come into his hands by virtue of any of the by-laws of such Societies, and also for all moneys that shall come into the hands of the President thereof, for the admission of members, or licensing students; which moneys the said President is hereby required to pay over to the said Treasurer, who shall account therefor to the Society, at their annual meetings; and no moneys shall be drawn from the Treasurer, unless such sums, and for such purposes as shall be agreed upon

by a majority of the Society, at their annual meeting, and by a warrant for that purpose, signed by the President.

*And be it further enacted,* That it shall be the duty of the Secretary of each of the said Medical Societies to provide a book, in which he shall make an entry of all resolutions and proceedings which may be had from time to time, and also the name of each and every member of said Society, and the time of his admission, and also the annual reports relative to the state of the treasury, and all such other things as a majority of the Society shall think proper ; to which book, any member of the Society may, at any time, have recourse ; and the same, together with all books, papers, and records, which may be in the hands of the Secretary, and be the property of the Society, shall be delivered to his successor in office.

*And be it further enacted,* That any student who may receive a diploma from the Medical Society of this state, shall pay to the President thereof, on receiving the same, ten dollars ; and for each diploma that a student may receive from the Medical Society of any county, he shall pay the President thereof, on receiving the same, five dollars.

(A TRUE COPY.)

*Compared with the original in the office of the Secretary of this State, this 25th June, 1813.*

JAS. VAN INGEN.



## AN ACT

*Further to amend "an act to incorporate Medical Societies, for the purpose of regulating the Practice of Physic and Surgery in this State."* Passed April 13, 1819.

*Be it enacted by the people of the State of New York, represented in Senate and Assembly,* That it shall and may be lawful, for each Medical Society in this state to cause to be raised and collected from each practising physician or surgeon, residing in the county or counties where such Society is by law established, a sum not exceeding one dollar in any one year; which sum when collected, shall be a part of the fund of said Society, for the purpose of procuring a Medical Library, and apparatus, and for the encouragement of useful discoveries in chemistry, botany, and such other improvements as the majority of the Society shall think proper.

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## AN ACT

*To enable the County Medical Societies in this State, to alter the time of holding their annual meetings.* Passed April 23, 1823.

*Be it enacted by the people of the State of New York, represented in Senate and Assembly,* That it shall and may be lawful for any Society, incorporated under the act entitled "An act to incorporate Medical Societies, for the purpose of regulating the practice of physic and surgery in this state," at any anniversary meeting of such Society, to change the day of holding their annual meetings to such other day of the year as may be more convenient: *Provided,* That two-thirds of the members present concur in voting for such change; notice of intention to move the same, having been first given at some previous regular meeting of the Society.

## REVISED STATUTES,

### *Title 7, Part 1, Chapter 14.*

#### GENERAL REGULATIONS CONCERNING THE PRACTICE OF PHYSIC AND SURGERY IN THIS STATE.

§ 1. The president of every county medical society shall give notice, in writing, to every physician and surgeon, not already admitted into such society, within the county in which the society of which he is president is situated, requiring such physician or surgeon, within sixty days after the service of such notice, to apply for and receive, a certificate of admission, as a member of such society.

§ 2. The service of every such notice shall be made personally, on the physician or surgeon to whom it shall be directed: and if such physician or surgeon shall not within the time specified in the notice, or within such further time as may be allowed by the president, under the regulations of the society, apply for a certificate of membership in such society, his licence shall be deemed forfeited, and he shall be subject thereafter, to all the provisions and penalties of the laws of this state, in relation to unlicensed physicians, until upon a special application, he shall be admitted a member of the medical society, in the county in which he shall reside.

§ 3. If there shall be preferred to any county medical society specific charges against any member thereof, of gross ignorance or misconduct in his profession, or of immoral conduct or habits, a special meeting of the society to consider the charges shall be called, of which at least ten days previous notice shall be given, in one or more of the newspapers printed in the county.

§ 4. If two-thirds of the members present at such meeting shall be of opinion, that the charges preferred are well founded, the president of the society shall, without delay, deliver a certified



copy of the charges and of the vote of the society thereon, to the district attorney of the county, and shall give notice of such delivery to the member accused, who from that time shall be suspended from the practice of physic and surgery, until the determination of such charges, in the manner hereinafter provided.

§ 5. The district attorney to whom the charges shall be delivered, shall serve a copy thereof without delay, on the member accused, and at the same time shall give him notice of the time and place at which the judges of the court of common pleas of the county will meet, for the purpose of hearing and determining the same: such notice shall be served at least fourteen days before the time of hearing appointed.

§ 6. The district attorney shall continue the prosecution of the charges, and shall issue process to compel the attendance of such witnesses, as the president of the society and the member accused, shall severally require.

§ 7. The judges of the county court, at the time and place of hearing appointed, or at such other time and place as they shall fix, shall proceed to hear and determine the charges, and shall examine, on oath, the witnesses produced: if they, or a majority of them, shall be satisfied, from the evidence, that the charges are true, they shall make an order, which shall be valid in law, expelling the member accused from the society, and declaring him for ever thereafter incapable of practising physic and surgery, within this state, or suspending him from such practice, for a limited period: if they shall be of opinion, that the charges are not established, the suspension of the member accused shall cease, and he shall be restored to all his rights and privileges, as a practising physician and surgeon.

§ 8. No student shall be admitted to an examination by any medical society, until he shall have completed, with some physician and surgeon, duly authorised by law to practice his pro-

fession, the term of medical study, prescribed in the following sections of this title.

§ 9. The regular term of the study of medical science shall be four years, but a deduction from such term, in no case to exceed one year, shall be made in either of the following cases:

1. If the student, after the age of sixteen, shall have pursued any of the studies usual in the colleges of this state, the period during which he shall have pursued such studies shall be deducted.

2. If the student, after the age of sixteen, shall have attended a complete course of all the lectures delivered in an incorporated medical college in this state, or elsewhere, one year shall be deducted.

§ 10. The physician and surgeon with whom a student shall commence his studies, shall file a certificate with the president of the county medical society to which he belongs, certifying that such person has so commenced his studies; and the term of study shall be considered as commencing from the day on which such certificate was filed.

§ 11. If the term of study shall be intended to be for less than four years, upon either of the grounds mentioned in the ninth section of this title, the president with whom the certificate shall be filed, upon satisfactory proof that a deduction ought to be allowed, shall annex to such certificate, an order specifying the period, not exceeding one year, which according to the proof exhibited to him, ought to be deducted from the term of four years, and directing that the term of study of the student shall be for the period that shall remain.

§ 12. No person shall receive from the regents of the university a diploma, conferring the degree of doctor of medicine, unless he shall have pursued the study of medical science for at least three years, after the age of sixteen, with some physician and surgeon, duly authorised, by law, to practice his profession, and



shall also, after the same age, have attended two complete courses of all the lectures delivered in an incorporated medical college, and have attended the last of such courses, in the college by which he shall be recommended for his degree.

§ 13. No student shall be admitted to an examination by any county medical society, except of the county in which he shall have pursued his medical studies for four months immediately preceding his examination; but if the student, during that period, shall have attended the lectures in either of the incorporated medical colleges of this state, he may be examined and licensed, either by the medical society, of the county in which such college is situated, or by that of the county, in which he shall have resided, previous to such attendance.

§ 14. No person, who shall have been examined by the censors of any county medical society, as a candidate for the practice of physic and surgery, or either of them, and shall have been rejected on such examination, shall be admitted to an examination before the censors of any other county medical society; but such person may appeal, from the decision of the censors by whom he shall have been examined, to the medical society of the state.

§ 15. No person, who, either upon an original examination or upon an appeal, shall have been rejected by the censors of the state medical society, shall thereafter be admitted to an examination, before the censors of any county medical society.

§ 16. No person shall practice physic or surgery, unless he shall have received a licence or diploma for that purpose, from one of the incorporated medical societies in this state, or the degree of doctor of medicine from the regents of the university; or shall have been duly authorised to practice by the laws of some other state or country, and have a diploma from some incorporated college of medicine, or legally incorporated medical society, in such state or country.

§ 17. No person coming from another state or country, shall practice physic or surgery in this state, until he shall have filed a copy of his diploma, with the clerk of the county where he resides, and until he shall have exhibited to the medical society of that county, satisfactory evidence that he has regularly studied physic and surgery, according to the requisitions of the ninth section of this title.

§ 18. No diploma, granted by any authority out of this state, to an individual who shall have pursued his studies in any medical school within this state, not incorporated and organised under its laws, shall confer on such individual, the right of practising physic or surgery within this state.

§ 19. Every person licensed to practice physic or surgery, or both, shall deposit a copy of such licence with the clerk of the county where he resides, who shall file the same within his office; and until such licence is so deposited, such person shall be liable to all the penalties provided by law, in the same manner as if he had no licence.

§ 20. No person under the age of twenty-one years shall be entitled to practice physic or surgery in this state.

§ 21. The degree of doctor of medicine conferred by any college in this state, shall not be a licence to practice physic or surgery; nor shall any college have, or institute, a medical faculty, to teach the science of medicine, in any other place than where the charter locates the college.

§ 22. Every person, not authorised by law, who, for any fee or reward, shall practice physic or surgery within this state, shall be incapable of recovering, by suit, any debt arising from such practice.



## AN ACT

*Concerning the practice of physic and surgery in this State.*  
Passed April 7, 1830.

2. Every person not authorised by law, who shall practice physic or surgery within this state, shall, for each offence of which he may be duly convicted, forfeit and pay a sum not exceeding twenty-five dollars, to be recovered, with costs of suit, before any justice of the peace of the county where such penalty shall be incurred, by any person who will prosecute for the same; and the justice before whom such conviction shall be had, shall pay the same to the overseers of the poor of the town where such conviction shall be had, for the use of the poor of such town, or of the county poor where the distinction between town and county poor shall have been abolished. But the provisions of this section shall not be deemed and taken to extend to or debar any person from using or applying, for the benefit of any sick person, any roots, barks, or herbs, the growth or produce of the United States.

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### REVISED STATUTES,

*Art. 1, Title 2, Chap. 1, Part 4.*

If any physician, while in a state of intoxication, shall, without a design to effect death, administer any poison, drug, or medicine, or do any other act, to another person, which shall produce the death of such other, he shall be deemed guilty of manslaughter in the third degree.

**REVISED STATUTES,***Tit. 6, Chap. 1, Part 4.*

Every person who shall wilfully administer to any pregnant woman, any medicine, drug, substance, or thing whatever, or shall use or employ any instrument or other means whatever, with intent thereby to procure the miscarriage of any such woman, unless the same shall be necessary to preserve the life of such woman, or shall have been advised by two physicians to be necessary for that purpose; shall, upon conviction, be punished by imprisonment in a county jail not more than one year, or by a fine not exceeding five hundred dollars, or by both such fine and imprisonment.

If any physician or other person, while in a state of intoxication, shall prescribe any poison, drug, or medicine, to another person, which shall endanger the life of such other, he shall, upon conviction, be adjudged guilty of a misdemeanor.

Every apothecary, druggist, or other person, who shall sell and deliver any arsenic, corrosive sublimate, prussic acid, or any other substance or liquid usually denominated poisonous, without having the word "poison" written or printed upon a label attached to the phial, box, or parcel, in which the same is so sold; or who shall sell and deliver any tartar emetic, without having the true name thereof written or printed upon a label attached to the phial, box, or parcel, containing the same, shall, upon conviction, be adjudged guilty of a misdemeanor, and shall be punished by a fine not exceeding one hundred dollars.



**BY-LAWS**  
OF THE  
**RENSSELAER COUNTY**  
**MEDICAL SOCIETY.**

**ADOPTED JUNE 10, 1828.**

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**CHAPTER I.**

**ADMISSION OF MEMBERS.**

Any regular licensed Physician or Surgeon residing within the county, when proposed by a member, may be admitted into this Society by the votes of a majority of the members present, after producing satisfactory evidence of his authority to practice in either or both of the above capacities, and of his sustaining a good moral character ; when he shall sign the by-laws, and pay to the Treasurer one dollar, which shall entitle him to a certificate of membership on paper : if he requests a parchment certificate, he shall obtain one from the Secretary by paying the sum of one dollar therefor.

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**CHAPTER II.**

**MEETINGS OF THE SOCIETY.**

The anniversary meeting of this Society, shall be on the second Tuesday of June, at ten o'clock A. M. ; and the semi-annual meeting on the second Tuesday of January. And there shall be two quarterly meetings, one on the second Tuesday in September, and one on the second Tuesday in April, in each year ; but there shall be no votes taken which shall in any way effect

the funds or property of the Society, except at the annual meeting, and then it shall require a majority of the whole number of voters recorded as present at such meeting. The place of meeting shall be determined by a majority of voters present. Seven members shall constitute a quorum.

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### CHAPTER III.

#### ORDER OF BUSINESS.

*Sec. 1.* When a quorum is present, the President shall declare the Society ready for the transaction of business; 1st, The names of the members present shall first be recorded by the Secretary. 2d, The minutes of the last meeting read. 3d, Candidates for membership proposed. 4th, The unfinished business of previous meetings taken up and disposed of. 5th, Miscellaneous business. 6th, The reading of the President's dissertation. 7th, If an annual meeting, election of officers. Lastly, Adjournment.

*Sec. 2.* All the officers of this Society shall be elected by ballot. The ballots shall be counted by the presiding officer, and the candidate having the greatest number of votes shall be by him declared duly elected.

*Sec. 3.* It shall be the duty of the Recording Secretary to publish a list of the officers of this Society, immediately after the annual meeting each year, in two of the most widely circulated papers published in this county, also such other transactions as the Society shall direct.

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### CHAPTER IV.

#### DUTIES OF THE OFFICERS.

##### OF THE PRESIDENT.

*Sec. 1.* The President shall preside at all meetings of the Society; he shall preserve order and decorum; determine all



questions of order, unless overruled by a majority of the Society; take the opinion of the Society on all motions made and seconded; give the casting vote when the Society is equally divided; nominate all committees unless otherwise directed by the Society; grant and sign the diploma of this Society to such as have passed the examination of their Censors; call all extra meetings required by law, and perform all such other duties as are prescribed him by law and the by-laws and resolutions of this Society. In the absence of the President, the Vice President, as President pro tem., shall exercise the same powers.

*Sec. 2.* It shall be the duty of the President to deliver a dissertation on some medical or scientific subject, or procure one to be read by the Vice President or Secretary, at the annual meeting closing the year after his election.

#### OF THE SECRETARY.

*Sec. 3.* It shall be the duty of the Recording Secretary to perform the duties prescribed him by law and the by-laws and resolutions of this Society; he shall notify, in writing, the chairmen of all committees of their appointment, together with the names of their colleagues and the object and duty of such committees. In case of his non-attendance, a Secretary pro tem. shall be appointed.

*Sec. 4.* There shall be chosen by this Society, at their annual election of officers, a Corresponding Secretary, who shall hold his office for one year, or until another shall be chosen in his place, whose duty it shall be to hold correspondence, in the name of the Society, with other medical societies and scientific characters; to receive all communications transmitted to him in behalf of the Society, and lay them before the Society at their regular meetings, and make such other communications as the Society may think proper to direct.

## OF THE TREASURER.

*Sec. 5.* The Treasurer shall perform all the duties of his office prescribed him by law and the by-laws and resolutions of this Society, and shall present an annual report to the Society, of the state of the funds.

## OF THE CENSORS.

*Sec. 6.* The Censors shall examine every candidate who shall present himself agreeable to law. And if, upon examination, they shall be satisfied with the medical abilities, moral standing, and scientific attainments of said candidate, they shall certify the same, in writing, to the President, which certificate shall entitle him to a diploma of the Society. For every such examination, each Censor, whether a certificate be granted or not, shall be entitled to the sum of three dollars from every student so examined: Provided, always, that no examination shall be had by a board of less than three Censors.

## OF THE DELEGATE.

*Sec. 7.* The Delegate shall perform all the duties prescribed him by law and the by-laws and resolutions of this Society; shall support the honor and dignity of the Society, and shall obey all orders consistent with his appointment.

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 CHAPTER V.

## DUTIES OF THE MEMBERS.

*Sec. 1.* Every Member, when speaking in the Society, shall rise and address the presiding officer; observe order and decorum; pay proper respect to the President and other officers, as well as his fellow members.

*Sec. 2.* No Member shall leave the room while the Society is in session without leave from the chair.

*Sec. 3.* If any Member of this Society vacate his seat for two years in succession, without rendering sufficient excuse, he



shall be subjected to a fine of one dollar for every subsequent year in which he shall neglect to appear and take his seat, or fifty cents for each annual or semi-annual meeting from which he shall be absent, until he shall again attend a meeting of the Society.

*Sec. 4.* Any Member who shall neglect or refuse to serve upon any committee when duly appointed and notified, shall pay such fine, not exceeding five dollars, as a majority shall see proper to inflict. And it shall be the duty of the chairman or first in nomination of every committee to appoint the time and place of meeting of such committee, and to give due notice, in writing to each member of said committee.

*Sec. 5.* It shall be the duty of every Member of this Society, on entering the same, at any time during the session, to report himself to the Recording Secretary, who shall enter his name as present at said meeting.

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## CHAPTER VI.

### HONORARY MEMBERS.

Scientific men of good moral deportment, may become honorary members of this Society, by a majority of votes of all the members present, at any annual meeting; and shall enjoy all the privileges of this Society while in session, except voting at elections.

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## CHAPTER VII.

### DIPLOMA OF THE SOCIETY.

*Sec. 1.* The Diploma of this Society shall be printed with a fair type, on parchment or vellum paper, signed by the President and Secretary, and shall have the seal of the Society affixed thereto by the Secretary.

*Sec. 2.* No one shall be entitled to a Diploma, until he shall have passed the examination of the Censors, received their certificate, and paid to the President the sum of five dollars as directed by law.

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## CHAPTER VIII.

### TAXES, FINES, &C.

Each member of this Society shall pay to the Treasurer one dollar, at each annual meeting, for the use of the Society, and also such fines and penalties as shall be imposed by the Society for violation of the rules thereof; and if he shall neglect or refuse to comply with such regulations, the Treasurer is hereby authorised to sue for and collect the same, as in other cases provided for by law.

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## CHAPTER IX.

### SCIENTIFIC IMPROVEMENT.

*Sec. 1.* Any member may make communications to this Society, calculated to correct errors, or to make improvements either in the principles or practice of medicine and surgery, or in the sciences therewith connected.

*Sec. 2.* The Recording Secretary shall keep on file all communications made to the Society, for their benefit.

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## CHAPTER X.

### REVISAL OF THE BY-LAWS.

The Society may, at any regular meeting, appoint a committee to examine and report to the Society such amendments and alterations as may be considered necessary in the by-laws of this Society, and such report shall be determined by a majority of the members recorded as present at the next regular meeting.



## BY-LAWS

### OF THE RENSSELAER MEDICAL LIBRARY.

*Sec. 1.* The surplus funds of the *Rensselaer County Medical Society* shall be appropriated to the purchasing of a Medical Library, in such sums, at such times, and in such manner, as the members thereof shall direct.

*Sec. 2.* There shall be chosen at the annual election of officers, a Librarian, who shall hold his office for one year, or until another be chosen in his place.

*Sec. 3.* The Librarian shall keep a catalogue of the books belonging to the library, and shall be accountable for their safe keeping. He shall also perform all other duties prescribed him by the by-laws and resolutions of the Society, and shall report to the Society annually the state of the library.

*Sec. 4.* Each book belonging to the library shall be, by the Librarian, numbered on the inside of the cover, 1, 2, 3, &c. and marked, Rensselaer Medical Society. There shall, at the annual and semi-annual meetings of the Society, be a distribution of the books among the members. When a member returns a book, he shall leave on a book kept for the purpose by the Librarian, his name and the name of the book he wishes to draw, and if two or more wish to obtain the same book, that the Librarian let them draw lots for priority of choice, and that no book be delivered until after the adjournment of the Society; and when a member shall have drawn the first volume of a work consisting of more volumes than one, then such member shall be entitled to the next succeeding volume without drawing for the same.

Books shall be returned by those who hold them at the annual and semi-annual meetings, before 12 o'clock M. Any member wishing to change a book, may have the privilege by calling on the Librarian.

*Sec. 5.* No member shall be allowed to take more than one volume at a time. And any member who shall retain a book over the time, shall be charged six cents per day until returned, or until the fine shall amount to double the original cost of said book.

*Sec. 9.* Every volume lost shall be replaced, or paid for, at twenty-five per cent. above the original cost; and if belonging to a set, the set shall be made good or paid for at the same rate, at the option of the loser, when he shall be entitled to the broken set.

*Sec. 7.* For every injury done a book while out of the library, the member in whose possession it was when injured, shall be fined in the following manner, viz: for each greased spot, from twelve and a half to twenty-five cents; every torn leaf, do.; every break on the cover or soil on the leaf, do.; according to the decision of the Librarian.

*Sec. 8.* No member shall be allowed to take a book from the library while in arrears for fines or taxes.

*Sec. 9.* No book belonging to the library shall be lent either by the Librarian or a member, except to a member of the Society, under the penalty of fifty cents per day, for every day, until returned, to be paid by the lender.

*Sec. 10.* It shall be the duty of the Librarian, to attend to the calls of the members; enforce the execution of the by-laws of the library; receive and be accountable, for all the fines and contributions to the library, and pay them over to the Treasurer of the Society, at their annual meeting in each year.



# **A SYSTEM**

OF

## **MEDICAL ETHICS.**

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A system of Medical Ethics comprises all the moral principles and regulations which should govern physicians and surgeons in the exercise of their professional duties toward the public in general, in private and confidential cases, as well as in their intercourse with other medical men, and before magistrates and courts of justice.

Such a system may be reduced to the form of a code of medical police, exhibiting maxims and precepts in five respective divisions of medical ethics, under the following heads :

- 1st. *Personal Character of Physicians.*
- 2d. *Quackery.*
- 3d. *Consultations.*
- 4th. *Specifications of Medical Police in Practice.*
- 5th. *Forensic Medical Police.*

NOTE.—Precepts and articles of the Code of Medical Police are severally arranged under a series of numbers.

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### **FIRST DIVISION.**

#### **PERSONAL CHARACTER OF PHYSICIANS.**

It would be difficult to determine which of the three learned professions in society requires the most virtue, or the most purity, and perfection of personal character. Those only can judge who are themselves acquainted with the difficulties to be surmounted in the study of medicine and surgery, and the labour and extent of the long course of experimental observation which it is necessary to pursue, before the confidence of the public can

be attained. The life of a physician is, on the whole, a continual struggle against prejudices and erroneous habitudes of the mind, and not unfrequently against ingratitude,\* exclusive of the personal hazard among the sick, the fatigue, and the loss of ordinary comfort and rest which it necessarily involves.

I. A physician cannot successfully pass through his career without the aid of much fortitude of mind, and a religious sense of all his obligations of conscience, honour, and humanity.† His personal character should therefore be that of a perfect gentleman, and above all, be exempt from vulgarity of manners, habitual swearing, drunkenness, gambling, or any species of debauchery, and contempt for religious practices and feelings.‡

II. The confidence of the public cannot be awarded to a physician who has rendered himself notorious for felony or misdemeanor, or who has incurred penalties for crimes.

III. A physician in indigent circumstances is not permitted to embrace or exercise any business which would degrade the character of his profession; such as keeping a tavern, lottery office, gambling, victualing, or play house. Any low trade or servile mercenary occupation is incompatible with the dignity and independence of the medical profession. In such extreme and derogatory situations a physician forfeits the privileges of his profession.

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## SECOND DIVISION.

The importance of the medical profession requires that it should be exercised with fidelity to its scientific principles and

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\* It unfortunately happens that the only judges of medical merit are those who have sinister views in concealing and depreciating it.

[John Gregory M. D. Lect. 1, on the duties, &c. P. 17. Lond. Ed.

† Hence appears the necessity of a physician, having a large share of good sense and knowledge of the world, as well as medical genius and learning.

[J. Gregory M. D. Lect. 1, page 17.

‡ The most celebrated physicians who to this day remain our models and masters were religious men. I know none among the living who can be judged greater than Stahl, Boerhaave, Linnæus and Haller, who always headed their works by an invocation to the Supreme Ruler.

[F. E. Fodere. Vid. Diction. des sciences medicales, art. Med. police.



approved doctrines ; with honour to all its members ; and with justice and humanity to the sick. A departure from the above principles constitutes

#### QUACKERY,

which degrades the medical character by ignorance, artifice, unapproved methods of practice, and by the use of remedies dangerous to health and life.

IV. Any physician or surgeon who divides his responsibility with a known quack, and associates with him in medical consultations, receiving a fee or the usual charges for such services, or practices with nostrums, secret medicines, or patent remedies, is guilty of quackery.

V. The right of a patent medicine being incompatible with the duty and obligation enjoined upon physicians to advance the knowledge of curing diseases, constitutes quackery and cannot be professionally countenanced.

VI. Public advertisements, or private cards, inviting customers afflicted with defined diseases ; promising radical cures ; engaging *for no cure, no pay* ; offering advice and medicine to the poor, *gratis* ; producing certificates and signatures even from respectable individuals in support of the advertiser's skill and success, and the like, are all absolutely acts of quackery, which medical institutions should always repress, and punish by the rejection or expulsion of those who commit them.

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### THIRD DIVISION.

#### CONSULTATIONS.

All the individuals composing the Colleges and Medical Societies constituted by the legislature of this State, are by them, qualified *Physicians and Surgeons*. The two professions of Medicine and Surgery are blended by the law, both in the schools and in practice. The examinations by the Censors of the county and state societies of candidates for the degree of *license* ;

and by the professors of colleges for the degree of *Doctor*; are equally directed to embrace in their exercise the elements and doctrines of both sciences, establishing thereby the candidate's proficiency, not only in medicine, but in surgery. There are no degrees of qualifications, nor are different rights assigned to the members the same profession but such as result from their individual choice, skill and fitness. Practical surgery is more properly attended to by the younger members, but the more experienced should be deemed competent to direct or inspect either the theoretical or practical departments.

These remarks are offered, to show that the distinction frequently adopted in practice, and especially in consultation, between physicians and surgeons, confining each other to *surgical or medical external or internal* cases, has no foundation in propriety, and if adhered to, arises from the wish to indulge in personal or interested motives. It is admitted, however, that when the question is merely to perform some operative process, a *practical surgeon* should be selected in preference; but this exception is only applicable when a physician declines (on such accounts as he may think proper,) to perform a necessary operation, and by no means invalidates the principle established in the State of New York, in conformity to Medical Ethics.\*

VII. A consultation of one or many physicians, is like a deliberating committee over which a senior in age or experience presides, each one, however, being equally responsible for the trust assigned to him of the cure or relief of the patient. The attending physician is exclusively charged with the execution of the treatment from day to day, nor is any consulting physician ever allowed to visit or inspect, unless it be with his colleagues, or by agreement, or in cases of emergency.

When a surgical operation is required, it devolves upon the

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\* Among the moderns, the arts of Physic and Surgery have often been promiscuously practised by the same person: for example, Hildanus, Severinus, Bartholine, and many others of distinguished genius and learning.

— The separation of physic from surgery in modern times has been productive of the worst consequences.

[J. Gregory, Lect. 11, p. 44.]



senior practitioner of surgery in the consultation, or on one especially appointed.\*

VIII. A diversity of opinion in consultation is to be regretted, for if unavoidable, it must cause much delay and many inconveniences, before a medical umpire can be obtained. It is needless to point out what a correct sense of delicacy will in this case require from a gentleman who in spite of his opposition finds himself in the minority; he should politely retire from the consultation, and if he be the family physician, he should consistently resign his *deliberative vote* †

IX. A great reserve, and even secrecy respecting the deliberations of consultation is indispensable. No communication is to be made to the patient or friends but by unanimous order and consent; because, whatever opinions are emitted, become subject to frequent alterations or inversions from mouth to mouth, and may become a source of contradiction perhaps injurious to some of the physicians in attendance.

X. It is the duty of a consulting physician to take care that his visits be not multiplied without necessity. He is, through courtesy, at liberty to decide when to discontinue his attendance. A consulting physician, however, cannot be dismissed without the consent of the patient as well as of the attending physician.

XI. Physicians are justly censurable if their patient be in danger and they do not in time procure advice and responsibility beside their own. Whatever be the motive that induces them to dispense with a consultation, they certainly may expose their reputation by an incorrect judgment or misapprehension of their patient's case, and weaken the confidence reposed in them. And

\* In consultations, the junior physician (or the physician in ordinary) should deliver his opinion first, and the other, in the progressive order of seniority.

[T. Percival Med. Ethics, p. 19.]

† Every physician must rest on his own judgment which appeals for its rectitude to nature and experience alone.

[J. Gregory, Lect. 1, on the duties and qualities, &c. Lond. Ed. p. 14.]

But an obstinate adherence to an unsuccessful method of treating a disease, is self-conceit it generally proceeds from ignorance—it is a species of pride to which the lives of thousands have been sacrificed.

Ib. p. 28.

a physician does not acquit himself correctly towards his patient if he does not benefit him with the best advice that can be procured. Poverty or the narrowness of means to remunerate an additional practitioner is no reasonable excuse, for he can scarcely deserve the name of a practising physician who cannot find at least one medical friend to consult, when the life or limb of a fellow creature is in jeopardy.

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#### FOURTH DIVISION.

##### SPECIFICATION OF MEDICAL POLICE IN PRACTICE.

XII. It is not intended in this system of medical ethics to instruct physicians and surgeons upon every felonious act of infanticide, murder, &c. for which the penal statutes of his country have made sufficient provision. It is incumbent upon medical authorities to consider, condemn and punish as *criminal*, such acts of medical practitioners as offend the the respective obligations of married persons, or the chastity and modesty of the youth of both sexes. This restrictive definition is to be applied,

1st. To the personal conduct of medical men, who abuse the confidence of families and become exposed to legal damages for *crim. con. or seduction*, &c.

2d. To those who, with a view of curing diseases or correcting certain natural imperfections, prescribe remedies or advise remedial means that must interfere with matrimonial rights and the observance of a chaste and moral life.

The scope of opinion on this subject may be wide, and the pretexts in palliation numerous, but the dependence of the public upon our labours, for the preservation of health, and the cure of diseases ought to be held sacred; nor can confidence be granted to a profession that should allow any of its members, to violate hospitality, to promote immorality, or to be accessory to vicious and criminal conduct.

XIII. Honour and justice particularly forbid a medical prac-



tioner's infringing upon the rights and privileges of another who is legally accredited, and whose character is not impeached by public opinion, or civil or medical authority ; whether he be a native, or a stranger settled in the country. There is no difference between physicians but such as results from their personal talents, medical acquirements, or their experience ; and the public, from the services they receive, are the natural judges of these intellectual advantages. In all probability, every good physician would receive a merited share of patronage, were there not many who usurp a portion through artful insinuations, and slanders of others, or combinations against, or improper interferences with, the more worthy practitioner. Any physician thus molested or injured is justifiable in applying for redress to the county medical society to which he is attached.

XIV. A physician is not to visit a patient placed under another practitioner's care, without previous and ostensible friendship or business, nor without first informing the attending physician ; if then he thinks it proper to advise he may do it, but it must be in conformity to the rules of consultation as above explained.

XV. Libellous attacks among physicians are no doubt subject to the same mode of redress by damages as the law points out to other citizens ; but we hold that matters of libel include professional and practical acts, whether true or false, published or stated to any person who is not a competent judge, with a view to injure the professional reputation of a physician. This identical principle was adopted by the Supreme Court of Pennsylvania in the trial of *Benj. Rush, v. Wm. Cobbett, alias Porcupine*, in which a verdict of \$4000 damages was awarded to the plaintiff for a libel founded in a malicious representation of the plaintiff's practice, made to the public by the defendant.

XVI. If medical controversies are brought before the public in newspapers or pamphlets, by contending medical writers, and give rise to, or contain assertions or insinuations injurious to the

personal character or professional qualifications of the parties, such papers are unquestionably disreputable to the medical community; for those, who should be foremost in the pursuit of truth, ought to be the last to set an example of an illiberal, indecorous and revengeful deportment, so contrary to what is expected from literary and scientific gentlemen. Such papers are therefore to be reported by the Censors to their respective county medical societies, and the authors are liable to such punishment, as the cases may require.

It is a matter of justice, necessity and propriety that the business of a physician and surgeon should be always considered of a confidential nature. Even *secrecy* in certain circumstances, as will be explained hereafter, is the privilege of the faculty, and inviolable even in a court of justice. In ordinary practice, common sense, decency and delicacy should in familiar conversation with females and persons uninstructed in medicine, always exclude such topics as patients, diseases, remedies, operations, and the like. A display of terrific and wonderful relations of diseases, remedies, wounds, operations and cures is frequently indulged in, no doubt *ad captandum*, yet in most cases they produce but an equivocal admiration for the narrator, and prove, besides, his very imperfect knowledge of human nature. Those who are not familiar with the subjects of medical art and study, are liable to draw mistaken and contradictory inferences from what they hear concerning them. Hence many people suppose that a physician is an unfeeling man; and assimilate a good surgeon to a butcher. The more talk, therefore, the more numerous are the misrepresentations set afloat, and the greater is the diffidence, distrust or disrespect excited.

XVII. The exposure of the nature of the complaint which a physician is called upon to judge or cure, subjecting the patient to public shame or impeaching his moral character, is an unpardonable breach of medical ethics.

XVIII. "The poor," says Boerhaave, "are the best custo-



mers because God will be the paymaster." Instead of fee, they give in exchange, the benefit of experience, of useful observation, and frequently the gratification of successful advise, which is more exactly followed by them than by the rich, who too often spoil the best directions by their whimsical notions and love of comfort. The most lucrative and extended patronage a physician can enjoy, far from being an honorable pretext for not affording some attention to the poor, stands as a proof of his selfishness or want of humanity.

XIX. In urgent cases of sickness, or of injuries occasioned by accidents, a call for medical or surgical help should be obeyed immediately, unless such compliance be to the detriment of some other sufferer. It often happens in such cases that many physicians, and more than are required, meet on the spot. Courtesy then assigns the patient to the first physician or surgeon who arrives, and if he should want assistance he has a right to request it from a physician or practical surgeon present, according to the nature of the case. But if the physician or surgeon who usually attends the family or patient be of the number, then the present urgent case is assigned to him.

In the event of the concurring attendance of many medical gentlemen, no fee is to be exacted for the trouble of coming, unless called upon by some authorized person. An accidental injury is *distress*, and help for a fellow-being in *distress* is claimed by the laws of nature.\*

XX. The fees for the compensation of medical services are regulated by the value of currency and the price of necessaries in different countries and cities; by the customs approved and

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\* Dr. Gregory says (p. 179) "that under such circumstances considerations of benevolence, humanity, and gratitude, are wholly set aside: for when disputes arise they must be suspended or extinguished; and the question at issue can alone be decided on the "principle of *commutative justice*." If a physician would therefore contend for *remuneration*, it could not be as a *medical fee* but an indemnity only for expenses of transporting himself there, where he *might* be wanted. The question is the more easily settled, that it has no further reference to medical service.

established among experienced and reputable practitioners; and sometimes by a recorded rate of charges, such as individuals belonging to any trade or profession adopt by general consent. It must be recollected however that this last mode has been forbidden physicians and surgeons in their corporate capacity, by a resolution of the State Medical Society of New-York, in the year 1817. This is in conformity to the common law of England, according to which, services rendered by advice cannot constitute a pecuniary debt, and much less in the medical profession, which "is too honorable," said a chief justice of that country (Lord Erskine) "to be subjected to a defined rate of charges." It follows from this, that medical services are not legally entitled to remuneration, except for the employment of time, medicines, and personal labor in attending upon the sick. But public opinion in a civilized nation, and among the more enlightened classes of society, will always highly estimate and liberally compensate medical services.

A strict sense of justice and honor towards each fellow member of the profession should prevent a physician from undervaluing his services, by items and charges in his bill, beneath the customary rate, with a view to draw patronage by exciting comparisons. A practitioner may settle his demands with his patrons on whatever terms he pleases, but he has no right to make the law, or change an established usage to the prejudice of his brethren. The reputation of a *cheap doctor*, after all, is neither dignified nor enviable.

Others will follow quite a contrary method. They will place an exorbitant value on their time and labor, and exact oppressive demands for their services. The conduct of such has a very injurious influence upon the lower and middling classes of society, who, needing medical aid, are deterred from applying to any physician, lest they should incur ruinous charges. These expensive doctors should be reminded that whenever a person pays a bill which he thinks extravagant and unreasonable, he easily repays himself, and gratifies his vanity if not his resentment, by



divulging how much money he has been willing to bestow ; what liberality he has exercised ; or to what imposition he has been exposed !

Some physicians, more intent on acquiring wealth than a good name, *exact* from their patients their charges, whether great or small, with unrelenting severity, refusing time to procure the necessary means, often having recourse to lawsuits, disregarding the plea of low circumstances, or absolute want, thus creating much distress ; such conduct is as disreputable to the physician as it is disgraceful to humanity, for the highest aim of the profession, is to reach its utmost requisitions. These *extortioners*, as they dishonor the medical profession, by a single act of such oppression, deserve a public reprimand, if not a prompt expulsion from their county medical society.

Whenever a physician is reduced to obtain his professional fees by compulsory measures, it is his duty first to propose, and to prefer the settlement of the matter in contention by a reference to arbitrators.

XXI. It is enjoined in the sacred obligation which Hippocrates imposed upon the pupils of the noble science of medicine and surgery, which is also the model of the like engagement offered to the candidates for graduation in this and other countries; that they shall respect and assist their preceptors and masters, their seniors by experience or age, and shall contribute as far as is in their power, to the honor, improvement, and utility of their professions. According to this precept, physicians and surgeons have something more to do, than to procure their livelihood. As they are indebted to the labors, talents, and experience of their predecessors in the healing art for all that constitutes its admirable body of doctrine ; so present and future generations look to them for some additional improvement, because much can yet be done to extend its usefulness. This obligation is unbecomingly violated by many physicians who pretend to eminence ; they estrange themselves from medical associations—never have any observation or improvement to communicate, their degree

of skill and experience always remains unknown and mysterious,—they screen themselves from scientific labors and controversies, and, as if incompetent, never contribute by any effort, however small, to the advancement of the medical character. Such practitioners, although they are frequently popular and wealthy, are, nevertheless, only comparable to drones in the bee hive: medical associations should refuse to confer upon them offices, appointments, or even employments in committees; on the principle that proofs are wanting of their talents, zeal, judgment and professional emulation.

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## FIFTH DIVISION.

### FORENSIC MEDICAL POLICE.

XXII. There are numerous accidents and offences, the nature and degree of criminality of which are determined by medical opinion. Human passions daily occasion acts of violence which fall under the cognizance of public justice; and diseases of the mind, whether arising from vice, intemperance, sickness or accident, have also their share of influence in the commission of crime; and often lead their unfortunate victims to suicide and murder. Crimes so originating could be perpetrated in ways so disguised as to conceal the authors or the means by which they were accomplished, were it not that juries can be assisted by medical men in evidence relating to physiology. A physician should always be in readiness to answer in these jurisdictional inquisitions, and to give an opinion, on facts referred to his judgment, according to the approved doctrines of medicine and surgery, as far as these are ascertained. Ignorance, or an imperfect knowledge upon matters which place life, honor, and innocence, in a fatal predicament, is unpardonable, and should subject any physician so illiterate, to disqualification for the privileges of his profession.

XXIII. To well instructed physicians only two rules need to be recommended. The one relating to their conduct when they



are called upon to give professional evidence ; and the other, to the nature and extent of the secrecy which they are bound to maintain in relation to their patients.

1st. When physicians engaged in the decision of a forensic question are unbiassed by the parties, and have no interest for plaintiff or defendant, (being well informed of all the facts alleged in evidence) they have only to decide by known medical principles, and can therefore rarely disagree. It is their duty to obtain every possible information upon the case, and before giving in their declaration, candidly and conscientiously to canvass each others opinions, so that erroneous ideas may be removed, and information participated.\* Two or more physicians on one side of a question, should in the same manner freely communicate, in order to guard against versatile and contradictory declarations, for which the trivial sarcasm, "doctors differ," is no excuse, as they always invalidate their opinions, authority, decisions and respectability.

2d. The second rule is that of secrecy upon facts with which physicians become professionally acquainted, or are invited to ascertain ; such as whether an apparent pregnancy be real ; the gestation and birth of a child ; its parentage, color, and age ; the judgment and treatment of syphilitic and gonorrhœal diseases ; the able or disabled state of a person, in limb or constitution ; the fallacy of virginity and other circumstances, to the confession of which, a degree of shame, and the idea of exposure is attached, and which are never mentioned but with an engagement to secrecy.

This duty has been defined by comparing it to that of the Catholic Confessional, which admits of no disclosures except in cases of treason or murder.† This inference has been acknow-

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\* When two or more gentlemen of the faculty are to offer their opinions or testimony, it would sometimes tend to obviate contrariety if they were to confer freely with each other, before their public examination.

[T. Percival, Med. Ethics ch. 4, page 107.

† The sacred duty or privilege of a catholic priest not compellable to disclose the secrets of auricular confession was maintained by a decision of the court of sessions of New-York, 14th June, 1813, in the case of the Rev. Mr. K. refusing his testimony on a matter of felony.

[Vid. cath. quest. report, by Wm. Sampson, Esq.

ledge by the judiciary of New-York, and, in its application to medical matters, admitted by that of Philadelphia, in the year 1800;\* and the Medical Society of the State of New-York have adopted the same principle, so extended as to exclude felony.—But this great privilege of the medical profession ought to be limited by discretion, and regulated by a strong sense of moral duty; it should never be exercised to the injury of innocence, or the violation of the rights of justice, or when it might operate to the dishonor or distress of families.

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*NOTE.—The following precept of Medical Police having been accidentally omitted in the report of the Committee, and reinstated only after the adjournment of the State Medical Society, is here placed, under the authority which they have given for revision and notes.*

Physicians are often requested to declare to the patient his danger, and to urge his observance of religious and testamentary acts: but medical aid, in extremely dangerous cases, would seldom be of any avail, if in place of composing the mind of the sufferer, physicians were to doom it to despondency and despair. Such services are incompatible with their duty of administering hope and comfort, without the influence of which, many doubtful cases of disease might at once become positively fatal.

To a christian minister alone, or to some other authorized person therefore, appertains the task of disclosing to the patient his alarming situation, and preparing his mind to meet with composure that event, which to his friends may appear inevitable.

Physicians should not interfere in the final settlement of their

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\* The same principle was recognised by a superior court of Pennsylvania, in the year 1800, in the case of a physician who refused to disclose his professional acts, against a defendant, in a suit for divorce on the plea of adultery.

Many persons would rather suffer or die than be exposed to shame or disgrace from the complaints they are laboring under. It is a law of nature that they should seek for cure or relief, and be protected by professional secrecy, even if a matter of prosecution should arise therefrom.

[Committee.]



patients' worldly affairs. These are eventually composed of various family claims and pretensions; and a physician's interference in their distribution may be taxed as arising from interested motives, or be thought by those concerned to be a disgraceful violation of the confidence reposed on his humane functions as medical attendant.

In order to protect himself and to place his name beyond the reach of any implication, he should,

1st. Give timely and explicit information of the dangerous situation of the patient to those who have the best right to advise him in his religious and temporal concerns.

2d. He should inform them of the possibility of a change in the prognostic, in order to prevent any relaxation of care and attention on the part of nurses and others, that no chances of the patient's recovery be lost through neglect.

3d. The physician in such a case should continue his personal attendance, which is the more proper, as he entertains or has acknowledged some hopes of a favorable change: should he be dismissed from pecuniary motives, his responsibility nevertheless requires a friendly or gratuitous attention.\*

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\* "It is as much the business of a physician to alleviate pain and to smooth the avenues of death, when unavoidable, as to cure diseases."

## OFFICERS FOR 1831.

JOHN VAN NAMEE, *President.*  
 ROBERT COLLINS, *Vice-President.*  
 MELZER FLAGG, *Recording Secretary.*  
 MOSES HALE, *Corresponding Secretary.*

JOHN WHEELER,	} <i>Censors.</i>
ED. S. KIMBERLY,	
CHS. S. J. GOODRICH,	
ALONZO STREETER,	
Z. LYON,	

OBADIAH E. LANSING, *Treasurer.*  
 JOHN BROWN, *Librarian.*  
 SAMUEL McLELLAN, *Delegate.*

### *A list of the present members of the Rensselaer County Medical Society—February 1st, 1831.*

Prosper M. Armstrong.	Emerson Hull.
Ezekiel Baker.	Edmund S. Kimberly.
Ebnr. D. Bassett.	James Langworthy.
Thomas W. Blatchford.	Obadiah E. Lansing.
Isaiah Brakey.	Frederick B. Leonard.
Philip Brigham.	Z. Lyon.
Thomas C. Brinsmade.	D. L. Mather.
John Brown.	Samuel McLellan.
Stephen J. Brown.	Hiram Moses.
John H. Carpenter.	Simon Newcomb.
Zenas Cary.	Samuel Norton.
John Clapp.	Amatus Robbins.
Asaph Clark.	Samuel Russell.
Charles Cole.	Elisha Sheldon.
Robert Collins.	Avery J. Skilton.
S. A. Cook.	Alonzo Streeter.
David Elliott.	Lorenzo Streeter.
Joseph H. Elmore.	Abr. D. Spoor.
Melzer Flagg.	John Squire.
J. W. Freiot.	Cuyler Tanner.
Benjamin Gates.	Thomas Taylor.
Charles S. J. Goodrich.	Abner Thurber.
Oren Goodrich.	John Van Beuren.
Elijah Graves.	Henry P. Van Dyck.
Joshua B. Graves.	John Van Namee.
Charles H. Gregory.	Rufus S. Waite.
Moses Hale.	Alfred Watkins.
Charles Hale.	P. S. F. Westervelt.
Samuel Haynes.	John Wheeler.











